

15.380 Officers required to be certified -- Officers permitted to be certified -- Exemptions.

- (1) The following officers employed or appointed as full-time, part-time, or auxiliary officers, whether paid or unpaid, shall be certified:
 - (a) Department of Kentucky State Police officers, but for the commissioner of the Department of Kentucky State Police;
 - (b) City, county, and urban-county police officers;
 - (c) Court security officers and deputy sheriffs, except those identified in KRS 70.045 and 70.263(3);
 - (d) State or public university police officers appointed pursuant to KRS 164.950;
 - (e) School resource officers as defined in KRS 158.441 and employed or appointed under KRS 158.4414;
 - (f) Airport safety and security officers appointed under KRS 183.880;
 - (g) Department of Alcoholic Beverage Control investigators appointed under KRS 241.090;
 - (h) Division of Insurance Fraud Investigation investigators appointed under KRS 304.47-040;
 - (i) Fire investigators appointed or employed under KRS 95A.100 or 227.220; and
 - (j) County detectives appointed in accordance with KRS 69.360 after July 1, 2019.
- (2) The requirements of KRS 15.380 to 15.404 for certification may apply to all state peace officers employed pursuant to KRS Chapter 18A and shall, if adopted, be incorporated by the Personnel Cabinet for job specifications.
- (3) Additional training in excess of the standards set forth in KRS 15.380 to 15.404 for all peace officers possessing arrest powers who have specialized law enforcement responsibilities shall be the responsibility of the employing agency.
- (4) The following officers may, upon request of the employing agency, be certified by the council:
 - (a) Deputy coroners;
 - (b) Deputy constables;
 - (c) Deputy jailers;
 - (d) Deputy sheriffs under KRS 70.045 and 70.263(3);
 - (e) Officers appointed under KRS 61.360;
 - (f) Officers appointed under KRS 61.902, except those who are school resource officers as defined in KRS 158.441 and who shall be certified under subsection (1)(e) of this section;
 - (g) Private security officers;
 - (h) Employees of a correctional services division created pursuant to KRS 67A.028 and employees of a metropolitan correctional services department created pursuant to KRS 67B.010 to 67B.080; and

- (i) Investigators employed by the Department of Charitable Gaming in accordance with KRS 238.510; and
 - (j) Commonwealth detectives employed under KRS 69.110 and county detectives employed under KRS 69.360.
- (5) The following officers shall be exempted from the certification requirements but may upon their request be certified by the council:
- (a) Sheriffs;
 - (b) Coroners;
 - (c) Constables;
 - (d) Jailers;
 - (e) Kentucky Horse Racing Commission security officers employed under KRS 230.240; and
 - (f) Commissioner of the State Police.
- (6) Federal peace officers cannot be certified under KRS 15.380 to 15.404.
- (7) Local alcoholic beverage control investigators appointed under KRS Chapter 241 on or after April 1, 2019, shall be certified by the council if all minimum standards set forth in KRS 15.380 to 15.404 have been met. Local alcoholic beverage control investigators appointed under KRS Chapter 241 before April 1, 2019, shall be exempt from this requirement.

Effective: June 27, 2019

History: Amended 2019 Ky. Acts ch. 5, sec. 8, effective March 11, 2019; ch. 97, sec. 1, effective June 27, 2019; and ch. 149, sec. 2, effective June 27, 2019. -- Amended 2018 Ky. Acts ch. 128, sec. 3, effective January 1, 2019. -- Amended 2017 Ky. Acts ch. 62, sec. 114, effective June 29, 2017. -- Amended 2013 Ky. Acts ch. 22, sec. 10, effective June 25, 2013. -- Amended 2010 Ky. Acts ch. 24, sec. 16, effective July 15, 2010. -- Amended 2007 Ky. Acts ch. 54, sec. 7, effective June 26, 2007; ch. 76, sec. 4, effective June 26, 2007; and ch. 85, sec. 20, effective June 26, 2007. -- Amended 2004 Ky. Acts ch. 172, sec. 2; and Ky. Acts ch. 191, sec. 53, effective July 13, 2004. -- Amended 2002 Ky. Acts ch. 132, sec. 1, effective July 15, 2002. -- Amended 2000 Ky. Acts ch. 374, sec. 18, effective July 14, 2000; ch. 447, sec. 7, effective July 14, 2000; and ch. 480, sec. 3, effective July 14, 2000. -- Created 1998 Ky. Acts ch. 606, sec. 99, effective December 1, 1998.

Legislative Research Commission Note (6/27/2019). This statute was amended by 2019 Ky. Acts chs. 5, 97, and 149, which do not appear to be in conflict and have been codified together.

Legislative Research Commission Note (6/26/2007). The amendment to this section in 2007 Ky. Acts ch. 76, sec. 4, effective June 26, 2007, is retroactive to July 1, 2004. See 2007 Ky. Acts ch. 76, sec. 5.

Legislative Research Commission Note (6/26/2007). This section was amended by 2007 Ky. Acts chs. 54, 76, and 85. There is no conflict with Acts ch. 85. Where Acts chs. 54 and 76 are not in conflict, they have been codified together. Where a conflict exists, Acts ch. 76, which was last enacted by the General Assembly, prevails under KRS 446.250.